



One Hundred First Legislature - First Session - 2009  
**Introducer's Statement of Intent**  
**LB 507**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** March 20, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Having recognized the serious impact of domestic violence, Nebraska law has defined Domestic Assault as a specific crime. The criminal elements of domestic assault, however, are not in parity with the elements of non-aggravated assault.

LB 507 proposes a change in our law that would permit the arrest and prosecution of a suspect who intentionally, knowingly or recklessly causes bodily injury to an intimate partner or threatens an intimate partner in a menacing manner. This language is already in use in the non-aggravated assault statute.

The risk of more serious injury and death has historically been associated with those exhibiting a pattern of relationship violence. LB 507 addresses this issue and allows for two important changes in the way repeat offenders are charged:

First, LB 507 removes the twelve year limitation on the use of a prior Domestic Assault conviction for enhancement.

Second, and perhaps most important of all, LB 507 allows a prosecutor to use a prior conviction to enhance the penalty for violating this offense even when the prior case involved a different intimate partner. Currently, any prior conviction used to enhance the penalty must involve the same intimate partner.

**Principal Introducer:**

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**Senator Pete Pirsch**